

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Sylvester Taylor,

Plaintiff,

Civil No. 10-4746 (SRN/JJG)

v.

Benjamin Rice, Jr. and Renee Hunter,

Defendants.

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. The defendants have stated that they have no objection to the Report and Recommendation.

Based upon the Report and Recommendation, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendants' motion to dismiss this action pursuant to Fed. R. Civ. P. 12(b)(1) for lack of subject matter jurisdiction, (Docket No. 19), is **DENIED**; and
2. Defendants must file an answer or other procedurally appropriate response to Plaintiff's complaint within twenty (20) days.

Dated: January 25, 2012

s/Susan Richard Nelson
SUSAN RICHARD NELSON
United States District Judge